

**CLAY COUNTY HIGHWAY DEPARTMENT**

**CLAY COUNTY COURTHOUSE**

**GARY D. WENTHE, P.E.**  
**CLAY COUNTY ENGINEER**

**OFFICE (618) 665-3346**  
**SHOP (618) 665-3423**

**P. O. DRAWER D**  
**LOUISVILLE, IL 62858**

**ORIGINAL RECEIVED**  
**DEC 31 2003**

December 22, 2003

Illinois Commerce Commission  
RAIL SAFETY SECTION

Mr. Michael Stead  
Rail Safety Program Administrator  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62701

T04-0011

Ref: Order Vacating TR-231  
Stipulated Agreement No. 1063  
AAR/DOT 295 112N, Milepost 11.55-U  
AAR/DOT 295 113V, Milepost 12.07-U  
Clay County

Dear Mr. Stead:

Enclosed is one (1) copy each of the Certificate to Vacate, Plat of Right-Of-Way, and the Final Order Granting the Certificate to Vacate for the above referenced Oskaloosa Township road.

This action was taken to comply with Section 7 of the Special Provisions of Stipulated Agreement No. 1063.

Please contact this office if additional information is required to expedite the processing of the Order on this project. Thank you.

Yours very truly,

CLAY COUNTY



Gary D. Wenthe, P.E.  
County Engineer

GDW/aw

**DOCKETED**

**MEMORANDUM OF DECISION AND FINAL ORDER GRANTING A  
CERTIFICATE TO VACATE TOWNSHIP ROAD**

STATE OF ILLINOIS       )  
                                  )ss  
COUNTY OF CLAY        )

STATE OF ILLINOIS 147.186  
CLAY COUNTY  
THIS INSTRUMENT WAS FILED FOR RECORD IN THE  
RECORDS OFFICE OF CLAY COUNTY, ABOVE SAID ON  
THE 30<sup>th</sup> DAY OF November  
2003 AT 11:00 O'CLOCK A.M.  
AS MICROFILMED DOCUMENT # 147.186  
Phyllis Miller  
RECORDED

1. Whereas, on the 30<sup>th</sup> day of October 2003, a certificate on behalf of Oskaloosa Road District was received by Jesse Bonham, the undersigned Commissioner of Highways of Oskaloosa Township, requesting the vacating of a certain road located in said Township.
2. That thereafter a hearing date was set for the 19<sup>th</sup> day of November 2003 at 7:00 P.M. for the purpose of examining said roadway and hearing reasons for or against the vacating of said roadway and notice was given to the public of said hearing date, pursuant to ICLS 605,5/6-305.
3. That no objections to the vacating of said roadway were raised at said hearing.
4. That it is in the public and economical interest that said roadway be vacated.
5. That all persons residing or owning land within two miles of said roadway will still have reasonable access by way of motor vehicle or portable farm machinery to farm land owned by them and to community and trade centers after said road is vacated.

**THEREFORE, IT IS ORDERED AND DETERMINED THAT CERTAIN EXISTING  
TOWNSHIP ROAD BE AND IS HEREBY VACATED AS SHOWN BY THE PLAT  
HEREUNTO ANNEXED AND DESCRIBED AS FOLLOWS:**

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 31, TOWNSHIP  
FOUR NORTH AND RANGE FIVE EAST (T4N-R5E) OF THIRD PRINCIPAL  
MERIDIAN (3<sup>RD</sup> P.M.), CLAY COUNTY, ILLINOIS; THENCE WESTERLY ALONG  
THE CENTERLINE OF TOWNSHIP ROAD 231 (TR-231), A DISTANCE OF  
TWENTY-SIX HUNDRED FIFTY-FOUR FEET (2654'), TO A POINT; THE POINT OF  
BEGINNING;

THENCE NORTHERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF THE  
CN/IC RAILROAD, A DISTANCE OF TWENTY FEET (20') TO A POINT;

THENCE WESTERLY A DISTANCE OF ONE HUNDRED TEN FEET (110') TO A  
POINT;

THENCE SOUTHERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF THE  
CN/IC RAILROAD, A DISTANCE OF FORTY FEET (40') TO A POINT;

THENCE EASTERLY A DISTANCE OF ONE HUNDRED TEN FEET (110') TO A  
POINT;

THENCE NORTHERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF THE  
CN/IC RAILROAD, A DISTANCE OF TWENTY FEET (20') TO A POINT; THE  
POINT OF BEGINNING.

In Witness Whereof, I have hereunto set my hand this 19<sup>th</sup> day of November 2003.



OSKALOOSA TOWNSHIP  
HIGHWAY COMMISSIONER  
CLAY COUNTY, ILLINOIS

## **CERTIFICATE TO VACATE TOWNSHIP ROAD**

The undersigned, duly elected, Road Commissioner of Oskaloosa Road District, Clay County, Illinois does hereby certify that the following described portion of TR-231 as shown on the attached plat be vacated:

A TRACT OF LAND LOCATED IN SECTION 31, TOWNSHIP 4 NORTH, RANGE 5 EAST (T4N-R5E) OF THIRD PRINCIPAL MERIDIAN (3<sup>RD</sup> P.M.), CLAY COUNTY, ILLINOIS, SAID TRACT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 31; THENCE WESTERLY ALONG THE CENTERLINE OF TOWNSHIP ROAD 231 (TR-231), A DISTANCE OF TWENTY-SIX HUNDRED FIFTY-FOUR FEET (2654'), TO A POINT; THE POINT OF BEGINNING;

THENCE NORTHERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF THE CN/IC RAILROAD, A DISTANCE OF TWENTY FEET (20') TO A POINT;

THENCE WESTERLY A DISTANCE OF ONE HUNDRED TEN FEET (110') TO A POINT;

THENCE SOUTHERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF THE CN/IC RAILROAD, A DISTANCE OF FORTY FEET (40') TO A POINT;

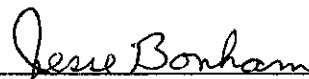
THENCE EASTERLY A DISTANCE OF ONE HUNDRED TEN FEET (110') TO A POINT;

THENCE NORTHERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF THE CN/IC RAILROAD, A DISTANCE OF TWENTY FEET (20') TO A POINT; THE POINT OF BEGINNING;

SAID TRACT CONTAINING 0.101 ACRES MORE OR LESS.

This certification is made and filed pursuant to the requirements of Section 5/6-303, Chapter 605, Illinois Revised Statutes and on behalf of Oskaloosa Road District, Clay County, Illinois.

Dated this 30th day of October 2003.

  
\_\_\_\_\_  
Oskaloosa Highway Commissioner

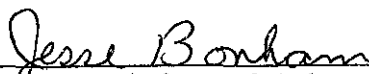
## PUBLIC NOTICE

Pursuant to ICLS 605, 5/6-305, I, the undersigned Highway Commissioner of the Township of Oskaloosa, hereby give public notice of hearing on a certain Certificate filed in my office on October 30, 2003, to vacate a certain township road described as follows:

A portion of TR-231 located in Section 31, Township 4 North,  
Range 5 East of the Third Principal Meridian, Clay County, Illinois.

Said hearing shall be held in the Town Hall in Oskaloosa, Illinois, at the hour of 7:00 P.M. on November 19, 2003, at which time I shall hear reasons for and against the vacating of said roadway.

Dated this 31<sup>st</sup> day of October, 2003.

  
\_\_\_\_\_  
Highway Commissioner, Oskaloosa Road District  
County of Clay and State of Illinois